

Rendigs
ATTORNEYS AT LAW

US EPA RECORDS CENTER REGION 5



Received

Rendigs, Fry, Kiely & Dennis, LLP
Cincinnati Cleveland Dayton

600 Vine Street, Suite 2650
Cincinnati, Ohio 45202

September 26, 2012

OCT 02 2012

Emergency Enforcement
Services Section

Carol Ropski
US Environmental Protection Agency
Superfund Division
Enforcement and Compliance Assurance Branch
Enforcement Services Section 1, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: South Dayton Dump and Landfill Site in Moraine, Ohio
Site Spill Identification Number: B52B
Response To General Notice of Potential Liability by
The Peerless Transportation Company, et al. ads. U.S. EPA
RFK&D Ref.: 8517-5

Dear Ms. Ropski:

I am writing to you on behalf of The Peerless Transportation Company, in response to your September 10, 2012 letter sent by certified mail advising The Peerless Transportation Company that it is a potentially responsible party in the above matter. Peerless has researched its records and has found no evidence that it transported waste to the South Dayton Dump and Lanfill Site in Moraine, Ohio. Further, the present operators of Peerless have no personal knowledge of anything going to the site.

During the course of the conference call in which we participated last week, on September 19, it was observed that the recently added potentially responsible parties were identified in a deposition or depositions recently taken in the matter. It would be extremely helpful if we could have access to copies of the deposition or depositions in order to gain a full understanding of the manner in which The Peerless Transportation Company was in someway implicated with this landfill. If those that can be made available to me as counsel for Peerless, please advise as to the proper procedure for obtaining copies of them.

If EPA has any other information that in any way implicates Peerless, it would be very helpful if we could have this as well.

W. Roger Fry, Esq.
(513) 381-9239
wrf@rendigs.com

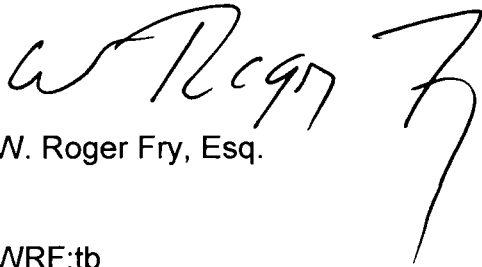
Carol Ropski
September 26, 2012
Page 2

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It is Peerless Transportation Company's intention to cooperate fully with the United States Environmental Protection Agency in this investigation. I know you will understand that Peerless will need more information before moving forward. I am looking forward to hearing from you.

Very truly yours,

RENDIGS, FRY, KIELY & DENNIS, LLP

A handwritten signature in black ink, appearing to read 'W. Roger Fry', with a large, stylized flourish extending from the bottom right.

W. Roger Fry, Esq.

WRF:tb